

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.8199 OF 2006

ORAL ORDER:

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This Writ Petition is filed aggrieved by the proceedings of the 4th respondent-Revenue Divisional Officer, Tekkali, dated 10.1.2006, whereunder the application of the petitioner for issuance of *Bentho Oriya* (ST Caste Certificate) was rejected.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare, appearing for the respondents.

A perusal of the impugned proceedings dated 10.1.2006 shows that in pursuance of the application received from the petitioner, the 4th respondent directed enquiry by the Mandal Revenue Officer, Kanchili and, accordingly, the Mandal Revenue Officer having recorded the statements of all the concerned, opined that the documents produced were not sufficient to issue Caste Certificate. It also appears that further enquiry was directed to be conducted by the Mandal Revenue Officer, Kanchili on the basis of the Births & Deaths Register from 1940 to 1950 of the predecessors of the petitioner and such report was still awaited and, therefore, the request of the petitioner for issuance of Caste Certificate was rejected.

The learned counsel for the petitioner submits that as a matter of fact, the Mandal Revenue Officer, Kanchili has already submitted a further report and, therefore, the 4th respondent ought to have taken the same into consideration for the purpose of issuance of the Caste Certificate as sought by the petitioner.

The learned Government Pleader submitted that in case the further report is received from the Mandal Revenue Officer, Kanchili, the 4th respondent will pass appropriate orders in accordance with law.

Having regard to the facts and circumstances, the impugned proceedings dated 10.1.2006 are set aside and the writ petition is disposed of directing the Revenue Divisional Officer, Tekkali/4th respondent to consider the matter afresh in the light of the fresh report of the Mandal Revenue Officer, Kanchili and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of this order.

The Writ Petition is accordingly disposed of. No costs.

(G. ROHINI, J.)

6th June, 2006.

Kgr

Furnish CC in two days.

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WRIT PETITION No.8199 OF 2006

6th June, 2006.

Between:

Rajesh Dolai. .. Petitioner.

And

The Principal, Andhra Medical College,
Visakhapatnam, Visakhapatnam district and
three others. .. Respondents.